REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-6 and 9-37 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-6 and 9-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Linden et al. (U.S. Patent 6,266,649) in view of Sumita et al. (U.S. Patent 6,581,207). The Examiner relies on Linden to meet most of the features of the present claims, except for the morphological continuity limitations for which Sumita is relied upon.

Linden concerns a technique that does not aim to produce sequences, but simply lists (such as 64) in which each item has an indexed similarity relation with an item (popular item) 63 that is outside that list. Linden is applied to merchant sites on the internet, where a purchaser is actively presented with items (popular items) which he/she may wish to purchase on the basis of what he/she has already selected. The passages of Linden pointed out by the Examiner do not discuss the internal links between the items of a given list 64, as would be necessary to establish a sequence. Rather, it is understood that all the items of a list 64 are present simply on account

of a quantified similarity with an item outside the list. This aspect is clearly explained at column 9, lines 34-53 (note the Examiner cites only lines 34-37). At lines 40 et seq. of that passage, it is explained that a commonality is established between two items A and B on the basis of sales data. This commonality information serves to establish the lists 64. However, the passage at lines 49-52 states that "using this method, item A may be included in item B's similar list items, even though item B is not present in item A's similar items list." (emphasis added) The fact that item B is not in the list 64 clearly indicates that Linden in no way suggests the currently claimed notion of constructing a sequence using a similarity relation between a candidate item to appear in the sequence and a neighboring item in that same sequence, whereby at the conclusion both items considered shall be present in the sequence (as opposed to similar items A and B of Linden that are respectively in and outside a list 64). As the present sequencing procedure is developed with successive neighbors, there is obtained a proper, internally structured, sequence, with an established similarity relationship between successive neighboring items. Because we are dealing with similarities and not perfect identities, it can be appreciated that there is a general trend for the similarities to become weaker as the items considered are farther apart in the sequence. This effect is used to advantage in the present method to produce the evolving thematic change – or evolution – as we move along the sequence. This is what constitutes the so-called "morphological continuity" in the sequence. Such an effect is neither suggested, nor even desired, in Linden.

Moreover, Sumita is not in any way concerned with the concept of morphological continuity as asserted by the Examiner. Rather, Sumita provides a technique for automatically extracting keywords, e.g. from video broadcasts, to compile program guides. In the passage cited by the Examiner (we assume he meant column 6 (and not column 5), lines 23-49), there is

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described a program guide processing section 142. The latter carries out a "morphemic analysis" of identified program names to extract keywords from the latter. Contrary to the Examiner's assertion, "morphemic analysis" is not equivalent, or even technically related to, the present concept of "morphological continuity." Specifically, "morphemics" (from which Sumita derives the adjective morphemic) is the study of morphemes, and especially of word structure (cf. Longman New Universal Dictionary). According to the same dictionary, a morpheme is a meaningful linguistic unit that contains no smaller meaningful parts. This corresponds exactly to the meaning attributed by Sumita for the keyword extraction algorithm, where smaller words are identified from a character string containing a program name. The keywords thus extracted by the Sumita program guide processing station 142 do not in any way form a sequence, and moreover successive keywords of a list produced in this way do not possess similarity relations, let alone of the type that can give rise to a morphological continuity. Sumita's application is thus completely different from the morphing or morphological continuity of the present invention, which covers a dynamically changing theme or structure going along a sequence.

Further, both Linden and Sumita are mutually very remote art, both in terms of the problems addressed and the techniques involved, and both are remote from the art of the present invention. Therefore, for at least these reasons, Linden and Sumita fail to obviate the present invention and the rejected claims should be allowed.
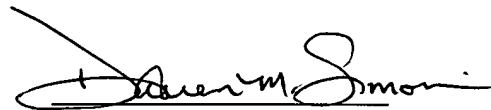
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

An extension of time fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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